

REMARKS**Restriction Requirement**

Applicant herein acknowledges the restriction requirement in the above-referenced application. Claims 1 through 21 are currently pending in the application. The Office has identified the following groups of claims as being drawn to separate inventions:

Group I – Claims 1-16, drawn to a method of constructing a cutting element for a drill bit including forming an attachment table and then attaching the table to the substrate, classified in class 76, subclass 108.1;

Group II – Claims 17-20, drawn to a method of constructing a cutting element for a drill bit including forming a table on the secondary substrate, classified in class 76, subclass 108.1; and

Group III – Claim 21, drawn to a method of constructing a cutting element for a drill bit including the substrate having tungsten carbide, classified in class 76, subclass 108.1.

Applicant hereby elects the claims of Group I, claims 1 through 16, with traverse.

Applicant notes that the the Examiner has grouped claim Groups III and I/II as combination and subcombination, which requires two-way distinctiveness for a proper restriction. Applicant notes that, contrary to the Examiner's position, the claims of Group II and Group III both require forming a superabrasive table on a substrate; in Group II, there is a primary and a secondary substrate which are assembled and then a superabrasive table is formed; in Group III, a superabrasive table is formed on the single, recited substrate. Applicant notes that for purposes of restriction, the claimed forming of the superabrasive table is on a substrate, whether primary, secondary, or a sole substrate. Further, Applicant notes that the Examiner has asserted that the subcombination has separate utility in that it can be used without the tungsten carbide substrate (of Group III). Applicant notes that the substrate of Group I, the primary and secondary substrate of Group II together, and the tungsten carbide substrate of Group III recite equivalent structures, the substrate of Group III merely being recited with greater specificity.

Therefore, Applicant respectfully submits that the restriction between claim Groups III and I/II should be withdrawn.

As between claim Groups I and II, Applicant notes that claims 9 through 16 of Group I require "forming" of a superabrasive table, in addition to the "attaching" thereof recited in claim 1. Therefore, the stated reason for restriction between these two claim groups is believed to be in error.

Applicant respectfully requests reconsideration and withdrawal of the restriction requirement for the above-stated reasons and, in addition, as Applicant notes that all of the claim groups are classified in the same Class and Subclass and there would be no undue burden on the Examiner to search and examine all of the claim groups.

Please Note Information Disclosure Statement

Applicants wish to draw the Examiner's attention to the Information Disclosure Statement filed with the Office on November 24, 2003, and respectfully request that the documents or other information referenced therein be made of record in the present application and that an initialed copy of the PTO-1449 form be returned to the undersigned attorney evidencing same.

Should any of the documents, or portions thereof, be unavailable to the Examiner for any reason, please contact the undersigned attorney, who will supply same immediately by facsimile or other suitable method of delivery.

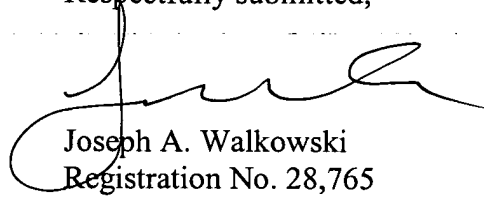
Preliminary Amendment

Applicants' undersigned attorney notes the filing herein of a Preliminary Amendment on February 12, 2004, which filing was not acknowledged in the outstanding Office Action. Should the Preliminary Amendment have failed for some reason to have been entered in the Office file, Applicants' undersigned attorney will be happy to have a true copy thereof hand-delivered to the Examiner.

CONCLUSION

An early Office Action on the merits as to claims 1 through 21 is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joe Walkowski', is written over a horizontal dashed line.

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